



Report to Planning & Zoning Commission

Clay County, Missouri

Case Number **October 16-134F**

Case Type **Final Plat**

Project Name **Ivy Bend Farms**

Applicant: Marshall Neth
1101 S 169 Highway
Smithville, MO 64089

Owners: (Lot 6) Johonny & Donna Endicott
17319 Endicott Road
Kearney, MO 64060

Owner: (Lots 1-4&5) Chris Ross, Ivy Bend Properties, LLC
8816 N Sycamore Avenue
Kansas City, MO 64157

Request **Final Plat** approval of Ivy Bend Farms

Application Submittal 2016-09-06

Public Notice Published N/A

Neighbor Letters Sent 2016-09-16

Report Date 2016-09-28

Public Hearing Opened 2016-10-04

REPORT AUTHOR(S) Kipp Jones, Manager
Debbie Viviano, Planner

Recommendation **APPROVED** with conditions



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General Information

Site Location: approximately southwest corner of MM Highway & Endicott Road and 17319 Endicott Road

Section 9 & 16 | Township 53 | Range 30

Site Size: 61.41± Acres

Existing Landuse & Zoning: Agricultural (AG)

Zoning/Platting History: None

Surrounding Landuse & Zoning:

- North – Agricultural (AG) zoned land
- East – Agricultural (AG) zoned land & Watkins Mill State Park
- South – Agricultural (AG) & Residential Rural (R-1) zoned land (Country View Estates)
- West – Agricultural (AG) zoned land & Residential Rural (R-1) zoned land

Current Conditions:



Courtesy of Clay County Assessor GIS/Mapping



Courtesy Microsoft® Bing™



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Assessment

Marshall Neth, representing Johnny & Donna Endicott and Chris Ross of Ivy Bend Properties, is requesting **Final Plat** approval for Ivy Bend Farms, 61.41± acres located at approximately the southwest corner of MM Highway and Endicott Road and 17319 Endicott Road.

The applicant wishes to split the northwest parcel into four lots (proposed lots 1 thru 4) and add acreage from a larger parcel to proposed lots 5 & 6. Proposed Lots 1 thru 4 do not have any existing structures. Proposed Lot 5 has a single family home and three accessory structures. Proposed Lot 6 has a single family home and an accessory structure.

Character of the General Neighborhood

Agricultural (AG) zoned property is each direction of the property. Woodhaven, Hobby Hill, and Hickory Ridge (R-1) subdivisions, are located to the west. Country View Estates (R-1) subdivision is to the south and Watkins Mill State Park is to the east of the property [see Attachment B].

LDC Considerations

The review procedures and submittal content for a Final Plat must be in substantial compliance with the approved preliminary plat in accordance with the requirements under **Section 151-3.6 (D)** of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat*.

The application was properly noticed, per regulations and adjacent property owners were notified within the mandated 1,000 foot distance by means of a letter dated September 16, 2016.

Outside Agency Review

Public Water Supply District No. 8 (PWSD #8) has indicated that they are able to provide residential water service to all of the proposed lots.

The Clay County Highway Department has noted that although tight the necessary drives will be able to be placed for the proposed lots. They also noted that the bridge on Endicott Road that spans the creek is a single span bridge with a 15 ton load limit. The Highway Department requested and the owner has agreed to extend the right-of-way from 30' to 60' on Lot 3 and which will also extend to the northern portion of Lot 4. This right-of-way will extend 200' each way of the centerline of the creek. This will give the County the appropriate amount of right-of-way to allow for the bridge replacement at the time it is needed.

The Clay County Public Health Center has given preliminary and final approval.

The Kearney Fire District serves this property.

Findings

Road Impact Fees (RIF) are required for the additional lots. The estimated total amount of RIF is \$3,093.75 and is subject to change at the time of payment based on the market price of material.

Chapter 151-6.3B5(b) of the 2011 Land Development Code states in a residential district, no accessory building or structure shall be erected forward of the principle dwelling unit. Since Lot



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5 is being rezoned from Agricultural (AG) to Residential Ranchette (R-5), it will have to meet this standard. After the surveying was complete it was determined that an accessory structure did sit in front of the principle dwelling unit. To remedy this problem a portion of the structure was removed and Staff inspected the structure to make sure it was behind the front build line of the principle dwelling and it does meet the Code.

Recommendations

Staff recommends the **Final Plat** of Ivy Bend Farms be **Approved**, with the following conditions as shown on Exhibit A:

Exhibit A

1. Road Impact Fees (RIF) agreement recorded and fees paid according to agreement at same time as the recording of the Final Plat.
2. The existing pond structures on Lots 4 and 6 must be inspected by the Natural Resources Conservation Service (NRCS, formerly the U.S. Soil Conservation Service/Clay County Soil and Water Conservation District), and if not found to be in good condition proper repairs as determined by NRCS must be done prior to the recording of the Final Plat.
3. The following corrections to the recording copies of the Final Plat:
 - a. DELETE: JOHNNY M & DONNA J ENDICOTT, BOOK 7643 PAGE 153 from parcel directly north of Lot 6.
 - b. ADD: DARLE W & KARLA J NOBLE, BOOK 7205 PAGE 155 to parcel directly north of Lot 6
 - c. ADD: A signature line for Johonny M & Donna J Endicott next to signature line for Christopher Ross
 - d. CHANGE: 30' right-of-way to 60' right-of-way 200' each way of centerline of creek on Lot 3 which also extends into the northern portion of Lot 4.



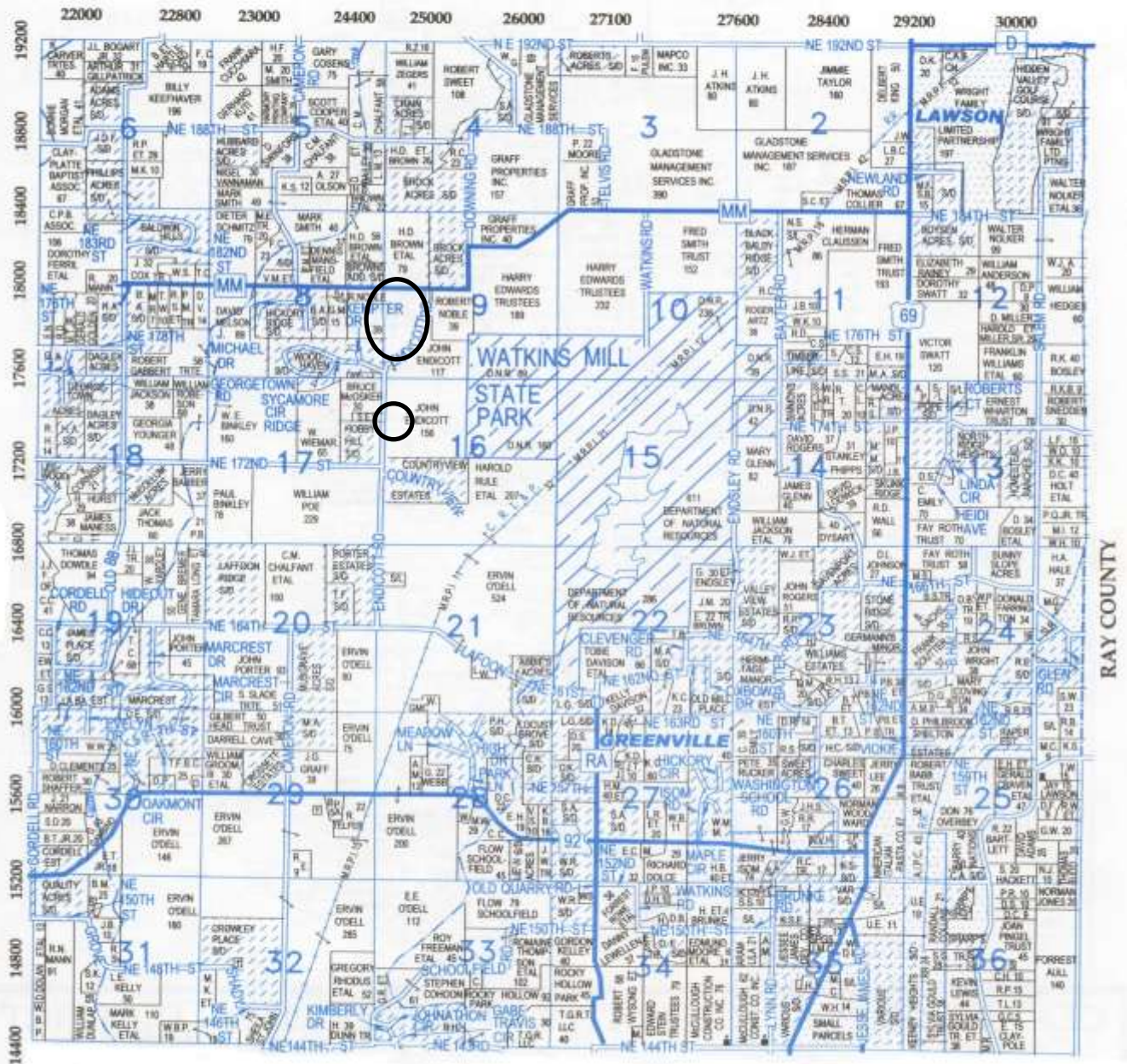
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Attachments

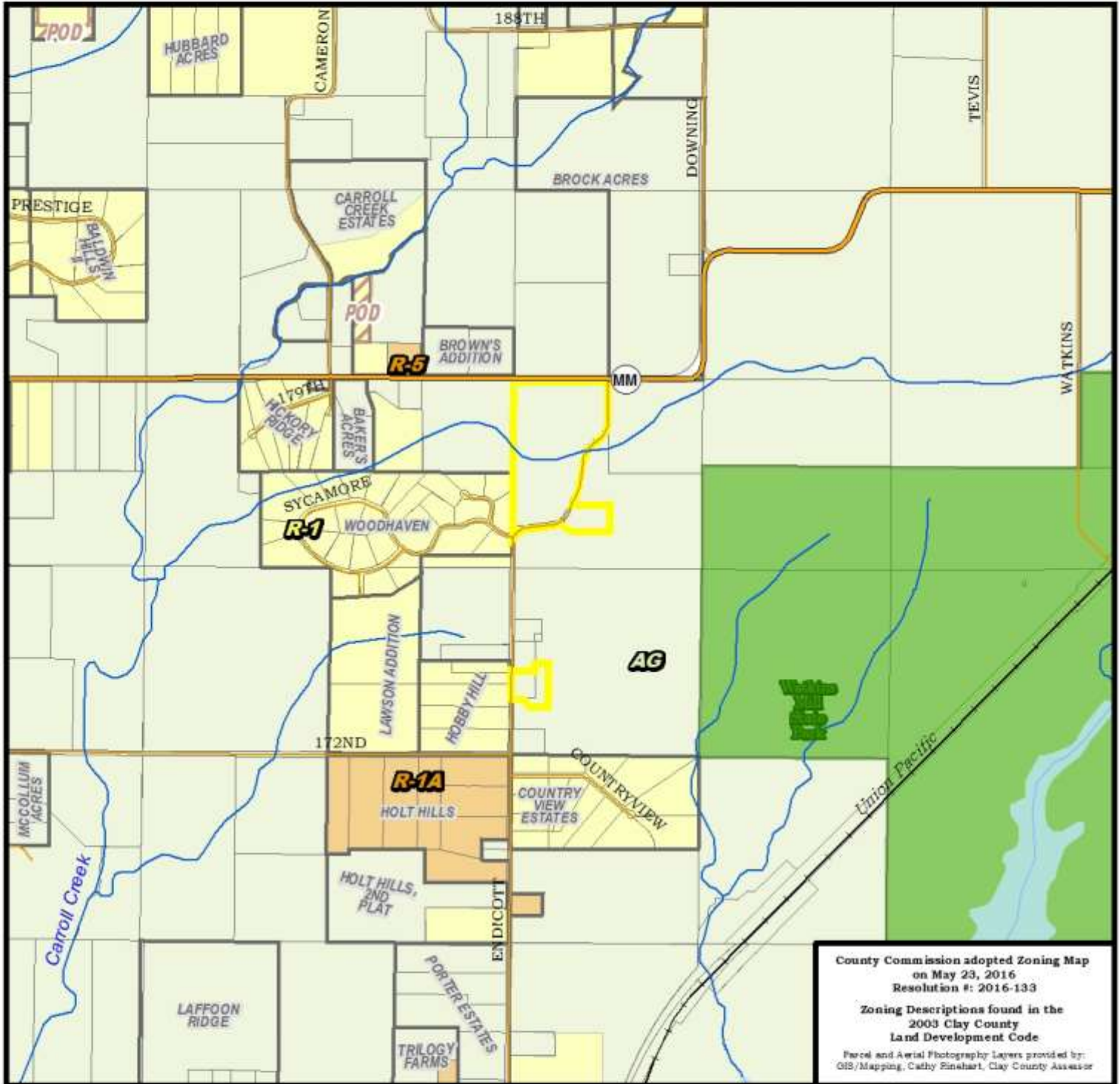
October 16-134F Ivy Bend Farms Attachment A - Vicinity Map

TOWNSHIP 53N • RANGE 30W



Oct 16-134F – Ivy Bend Farms

Attachment B - Existing Conditions Map



County Commission adopted Zoning Map
on May 23, 2016
Resolution #: 2016-133

Zoning Descriptions found in the
2003 Clay County
Land Development Code

Parcel and Aerial Photography Layers provided by:
GIS/Mapping, Cathy Sinehart, Clay County Assessor

Planning & Zoning Department



1 inch = 2,000 feet
1 inch = 0.38 miles

LEGEND



Property Line



Streams (EPA)



Railroads



Highway Ramps



Roads



Interstates



State Highways



Local Roads



Subdivisions



2016 City Limits



Parks



County Boundaries

Overlay Districts



CD (Conservation District)



POD (Preservation Overlay District)



PUD (Planned Unit Development)

Zoning Districts



AG



R-1



R-1A/R-5



R-1B/RU



R-3



C-1



C-2



C-3



I-1



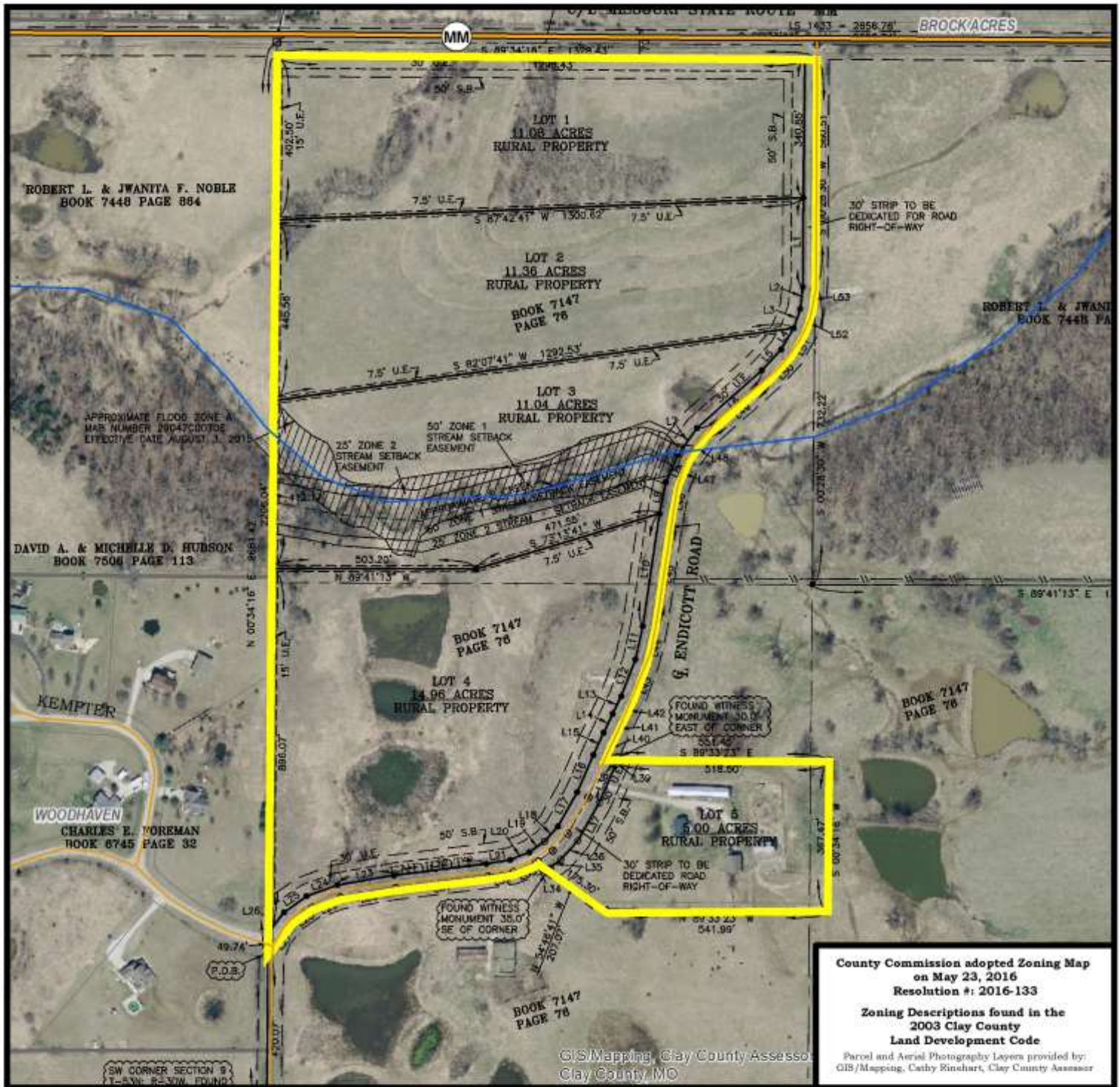
I-2



OP

Oct 16-134F – Ivy Bend Farms (Lots 1-5)

Attachment C - Site Plan Map



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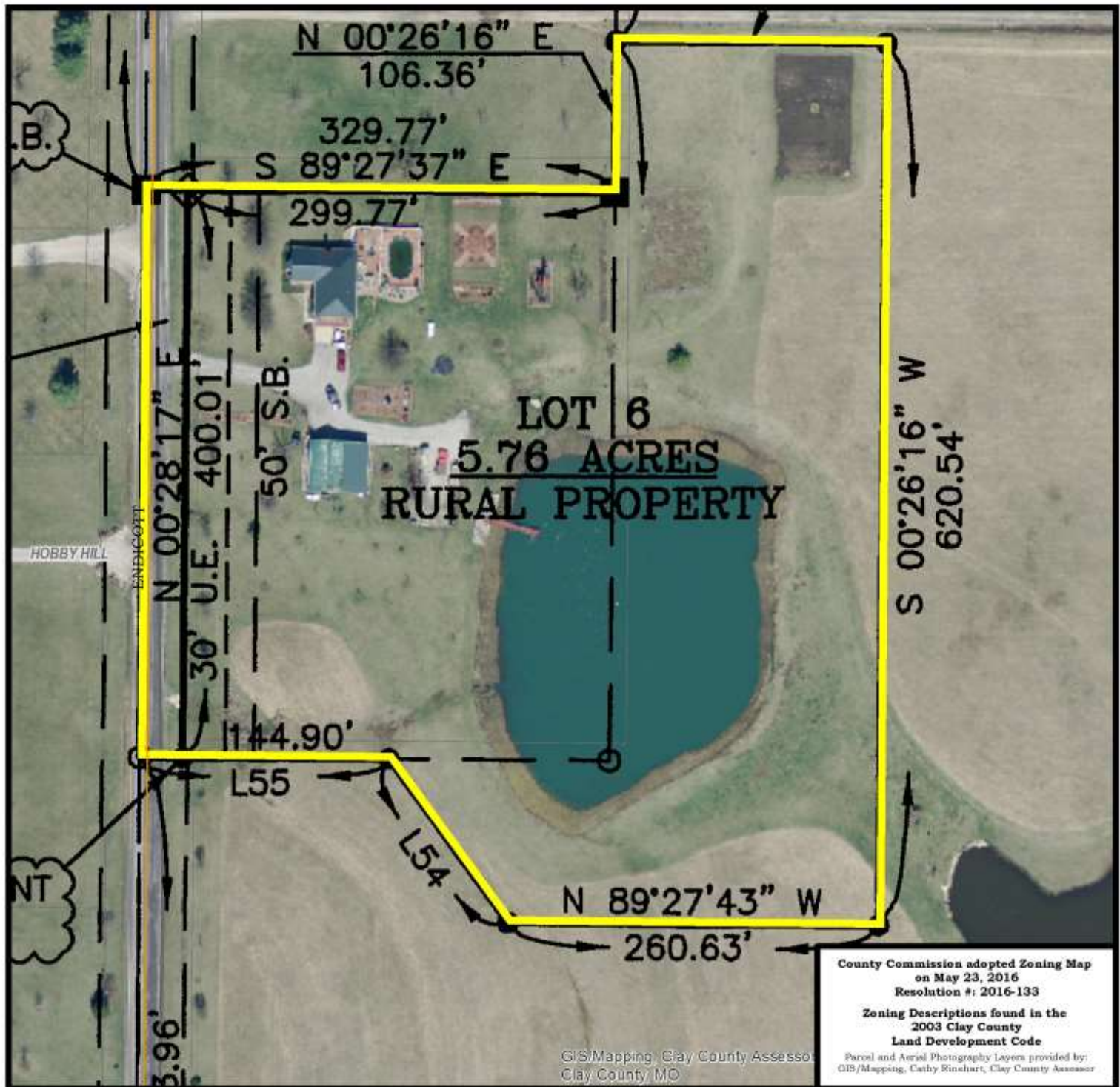
1 inch = 350 feet
1 inch = 0.07 miles

LEGEND

- | | | |
|---------------|----------------|-------------------|
| Property Line | Roads | Subdivisions |
| Streams (EPA) | Interstates | 2016 City Limits |
| Railroads | State Highways | Parks |
| | Local Roads | County Boundaries |
| | Highway Ramps | |

Oct 16-134F – Ivy Bend Farms (Lot 6)

Attachment D - Site Plan Map



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1 inch = 100 feet
1 inch = 0.02 miles

LEGEND

- | | | |
|---------------|----------------|-------------------|
| Property Line | Roads | Subdivisions |
| Streams (EPA) | Interstates | 2016 City Limits |
| Railroads | State Highways | Parks |
| | Local Roads | County Boundaries |
| | Highway Ramps | |